

## **REMARKS**

Claims 28-75 and 88-120 are now pending in the application. Claims 52, 60, and 68 are cancelled without disclaimer or prejudice to the subject matter contained therein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant would like to thank the Examiner for the courtesy extended during the personal interview conducted on January 23, 2007.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 52, 53, 60, 61, 68, 69, 89-96, 104, 112, and 120 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yip et al. (U.S. Pat. No. 5,790,658) in view of Patel et al. (U.S. Pat. No. 5,175,764). This rejection is respectfully traversed.

Claims 52, 60, and 68 are cancelled. Applicant amended claims 53, 61, and 69 to depend from allowed independent claims 54, 62, and 70, respectively.

With respect to claim 89, Yip, either singly or in combination with Patel, fails to show, teach, or suggest that each of a feedback means, a composite signal, and a replica signal are connected together at a second polarity input terminal.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03. Furthermore, when evaluating claims for obviousness under 35 U.S.C. §103, all of the limitations must be considered and given weight. *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), MPEP § 2144.03. Here, the alleged combination fails to disclose the limitation

that each of the feedback means, the composite signal, and the replica signal are connected together at the second polarity input terminal.

As shown in an exemplary embodiment in FIG. 11 of the present application, an active resistive summer includes an operational amplifier with a negative (i.e. second polarity) input terminal. Each of a feedback signal, a composite signal, and a replica signal are connected together at the negative input terminal.

As best understood by Applicant, Yip fails to disclose this structure. For example, the Examiner relies on FIG. 1 of Yip to disclose a summer 130. The summer 130 appears to include a positive terminal that receives a signal from hybrid transformer 124 and a negative terminal that receives a signal from echo canceller 128. In other words, Yip appears to disclose that the signals from the hybrid transformer 124 and the echo canceller 128 are connected to different input terminals of the summer 130. In contrast, Applicant's claim 89 recites that the feedback signal, the composite signal, and the replica signal are **connected together at the second polarity input terminal.**

Applicant respectfully submits that claim 89 should be allowable for at least the above reasons. Claims 90, 93, 96, 104, 112, and 120, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

#### **ALLOWABLE SUBJECT MATTER**

Claims 28-51, 54-59, 62-67, 70-75, and 88 are allowed. The Examiner states that claims 97-103, 105-111 and 113-119 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter. Accordingly, Applicant has amended claims 97-103, 105-111, and 113-119 to include the limitations of the base


claim and any intervening claims. Therefore, claims 97-103, 105-111 and 113-119 should now be in condition for allowance.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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